

SAIC0078

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PATENT

Serial No. 10,514,188

REMARKS

Claims 1, 4-13, 15-34 are pending in this application. Claims 2, 3, and 14 have been cancelled by this amendment. Claims 1, 4, 10, 15, and 20 have been amended in this response. No new matter has been added. Claims 1-34 are rejected as follows: Claims 1-3, 6-14, 17-28 and 30-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 5,864,641 to Murphy et al ("Murphy") in view of U.S. Patent Number 4,844,613 to Batchelder et al ("Batchelder"), U.S. Patent Number 5,377,008 to Ridgway et al ("Ridgway"), and U.S. Patent Number 6,493,090 to Lading et al ("Lading") (collectively, Murphy, Batchelder, Ridgway, and Lading are "the cited references"); Claims 4-5, 15-16 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy in view of Batchelder, Ridgway, and Lading as applied to the claims above, and further in view of the "acknowledged prior art on page 23, paragraph [0083]." In view of the amendments and remarks presented herein, the undersigned respectfully traverses these rejections as set forth below.

Rejection of Claims 1-3, 6-14, 17-28 and 30-34 Under 35 U.S.C. §103(a)

Claims 1-3, 6-14, 17-28 and 30-34 are rejected under 35 U.S.C. §103(a) as being unpatentable over Murphy in view of Batchelder, Ridgway, and Lading ("the cited references"). Claims 2, 3, and 14 have been cancelled. Each of independent claims 1, 10 and 20 has been amended to provide that the optical gratings are "porous Bragg gratings." This amendment is in accordance with the Examiner's indication of allowable subject matter on page 6 of the Office Action. The undersigned thanks the Examiner for this indication. In view of the amendments, the undersigned representative believes claims 1, 10, and 20 and all claims depending therefrom

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to be allowable over the cited art. Accordingly, the undersigned representative requests the rejection of claims 1, 6-13, 17-28 and 30-34 be reconsidered and withdrawn.

Rejection of Claims 4-5, 15-16 and 29 Under 35 U.S.C. §103(a)

Claims 4-5, 15-16 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy in view of Batchelder, Ridgway, and Lading as applied to the claims above, and further in view of the "acknowledged prior art on page 23, paragraph [0083]." Since claims 4-5, 15-16 and 29 are dependent on independent claims 1, 10, and 20, for at least the reason indicated above, the undersigned respectfully requests that the rejection of claims 4-5, 15-16 and 29 under 35 U.S.C. §103(a) be reconsidered and withdrawn.

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CONCLUSION

Based on the indication of allowable subject matter, the undersigned believes that the claims in this application are allowable over the cited prior art. Accordingly, the undersigned respectfully requests a notice of allowance to this effect. Should the Examiner determine that any further action is necessary to place this application into better form, the Examiner is encouraged to telephone the undersigned representative at the number listed below. In addition, if any additional fees are required in connection with the filing of this response, the Commissioner is hereby authorized to charge the same to Deposit Account No. 501458.

Respectfully submitted,

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